



THE

**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Jammu, Thu., the 8th Dec., 2016/17th Agra., 1938. [No. 36

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## PART I-A

### Jammu & Kashmir Government—Orders

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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU/SRINAGAR.

#### Corrigendum

Please read father's name of Iqra Khursheed Mir as Khurahseed Mir instead of Khursheed Mir issued vide provisional Notification No. 511 dated 06-09-2013 and Extension Notification No. 755 dated 12-01-2016.

By order.

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#### Notification

No. 155 Dated 21-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Wasim Shaban S/o Mr. Mohd Shaban Dar R/o Humhama, New Airport, Dar Mohalla, District Budgam vide Notification No. 10 dated 04-04-2013 has been declared as absolute/final.

By order.

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#### Notification

No. 211 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Aditi Khajuria D/o Mr. Mahesh Khajuria R/o House No. 3, Mohalla Jullaka, Jammu vide Notification No. 564 dated 15-10-2014 has been declared as absolute/final.

By order.

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Notification

No. 212 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohd Ayaz Khan S/o Mr. Manzoor Hussain R/o Ward No. 09, Ari Placer, Mendhar, Poonch vide Notification No. 535 dated 13-10-2014 has been declared as absolute/final.

By order.

Notification

No. 225 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nayeen Akhtar D/o Mr. Mohd Iqbal R/o Planger, Thana Mandi, Rajouri, A/P Nowabad, Sunjwan Road, Near Pooja Medical Hall, Jammu vide Notification No. 1117 dated 19-03-2014 has been declared as absolute/final.

By order.

Notification

No. 230 Dated 22-04-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sabahat Khursheed D/o Mr. Khursheed Hussain Hakeem R/o Qadri Residency, H. No. 9, Broadway Street, Habak Naseem Bagh, Srinagar vide Notification No. 811 dated 17-12-2013 has been declared as absolute/final.

By order.

Notification

No. 306 Dated 01-06-2016

It is hereby notified that vide High Court order dated..... Ms. Jahan Ara D/o Mr. Gh. Rasool Bhat R/o Ishber Gupt Gagha, Theed Mohalla, Tehsil North Srinagar, District Srinagar has been admitted and

enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-269/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 307 Dated 02-06-2016

It is hereby notified that vide High Court order dated..... Ms. Viqara Gul D/o Mr. Ghulam Mohd Darzi R/o 97, Govt. Housing Colony, Chanapora, Srinagar has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her provisional/LL.B Degree Certificate and verification of her character and antecedent from the concerned agency. Her name has been entered under Serial No. JK-280/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 309 Dated 04-06-2016

It is hereby notified that vide High Court order dated..... Mr. Aadil Manzoor Beigh S/o Mr. Manzoor Ahmad Beigh R/o Kralweth, Kunzar, Tehsil Kunzer, District Baramulla has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally

for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-223/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 366 Dated 06-06-2016

It is hereby notified that vide High Court order dated..... Mr. Moshin Rafiq S/o Mr. Mohd Rafiq Reshi R/o Qsha Bhagat, Mohalla Shaksaz, Tehsil and District Anantnag has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-282/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 367 Dated 06-06-2016

It is hereby notified that vide High Court order dated..... Mr. Fairoze Nabi Dar S/o Mr. Gh. Nabi Dar R/o Near Arif Masjid, Maukpora, Tehsil and District Pulwama has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification,

subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-283/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 368 Dated 06-06-2016

It is hereby notified that vide High Court order dated..... Mr. Idrees Iqbal Bhat S/o Mr. Mohd Iqbal R/o Machibawan, Pranibawan, Tehsil Mattan, District Anantnag has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his provisional/LL.B Degree Certificate and verification of his character and antecedent from the concerned agency. His name has been entered under Serial No. JK-284/2016 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 452 Dated 29-06-2016.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Manisha Kumari D/o Mr. Romesh Chander R/o Bantalab Jammu, Village Gurah Brahmana, Mohalla Lakhnotra, Jammu vide Notification No. 1393 dated 30-03-2015 for a period of one year has been extended till 23-03-2017 subject to the verification of Certificates/Degrees.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

By order.

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Notification

No. 453 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Sheikh Razwan Javeed S/o Sheikh Tariq Javeed R/o 47, Sector-A, Indra Nagar, Srinagar vide Notification No. 353 dated 05-10-2015 has been declared as absolute/final.

By order.

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Notification

No. 454 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Waheed Ahmad Dar S/o Mr. Gh. Ahmad Dar R/o Chatterhama, Astan, Mohalla, Hazratbal, Srinagar vide Notification No. 815 dated 17-12-2013 has been declared as absolute/final.

By order.

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Notification

No. 455 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Suhail Ishtiaq S/o Hakim Ishtiaq Hussain R/o Farhat Abza, 29-Gogi Bagh, Srinagar vide Notification No. 484 dated 04-09-2014 has been declared as absolute/final.

By order.

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Notification

No. 456 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Taif Mahmood Dar S/o Mr. Ali Mohmad Dar R/o Saderkot Payeen, Sumbal, Bandipora vide Notification No. 521 dated 13-10-2014 has been declared as absolute/final.

By order.

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Notification

No. 457 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Supriya Zutshi D/o Mr. Shibani Lal Zutshi R/o H. No. 283, Lane No. 13, Talab Tillo, Jammu vide Notification No. 281 dated 13-06-2012 has been declared as absolute/final.

By order.

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Notification

No. 458 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Raghunath S/o Mr. Bhabhi Chand R/o Lane No. 2, Sector-1, Durga Nagar, Jammu vide Notification No. 957 dated 26-11-2011 has been declared as absolute/final.

By order.

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Notification

No. 459 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Tasveer Bano D/o Sayed Asdulla R/o New



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Colony, Ahmadpora, Magam, Pattan, Baramulla vide Notification No. 823 dated 02-03-2013 has been declared as absolute/final.

By order.

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Notification

No. 460 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohamad Hussain Dar S/o Mr. Mohammad Mukhtar Dar R/o Check Kanispora, Dar Mohalla, Baramulla vide Notification No. 225 dated 26-05-2011 has been declared as absolute/final.

By order.

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Notification

No. 461 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Yash Pal S/o Mr. M. R. Sharma R/o, P/O Shama Chak, Jammu Tawi vide Notification No. 904 dated 10-01-2014 has been declared as absolute/final.

By order.

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Notification

No. 462 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Waseem Sajad Malik S/o Mr. Gh. Nabi Malik R/o Gugloosa, Noor Abad, Kupwara vide Notification No. 115 dated 23-05-2013 has been declared as absolute/final.

By order.

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Notification

No. 463 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Nasir Ahmad Chopan S/o Mr. Wali Mohd Chopan R/o Shulloora, Kralpora, Kupwara vide Notification No. 104 dated 23-05-2013 has been declared as absolute/final.

By order.

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Notification

No. 464 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sheikh Tariq S/o Mr. Mohd Akbar Sheikh R/o Gouripora, Sanat Nagar, Srinagar vide Notification No. 525 dated 03-08-2011 has been declared as absolute/final.

By order.

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Notification

No. 465 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Aditya Krishan Vashisht S/o Mr. Krishan Kumar Sharma R/o 4-Aditya Enclave, Satyam Road, Trikuta Nagar, Jammu vide Notification No. 1345 dated 26-03-2015 has been declared as absolute/final.

By order.

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Notification

No. 466 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohammed Iqbal S/o Mr. Mohd Hassan

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R/o Commander Complex, Main Bazar, Baroo, Kargil vide Notification No. 606 dated 01-12-2015 has been declared as absolute/final.

By order.

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Notification

No. 467 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sukhdev Singh S/o Mr. Badri Nath R/o Bhagath, P/O Panthal, Tehsil and District Reasi vide Notification No. 09 dated 04-04-2013 has been declared as absolute/final.

By order.

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Notification

No. 469 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohd Iqbal Bhat S/o Mr. Ghulam Mohammad Bhat R/o Jhayan, Kalaroon, Kupwara vide Notification No. 393 dated 04-09-2013 has been declared as absolute/final.

By order.

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Notification

No. 470 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Geetika Mengi D/o Mr. K. K. Mangi R/o Mengi House, Lane No. 55, Greater Kailash, Jammu vide Notification No. 29 dated 10-06-2010 has been declared as absolute/final.

By order.

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Notification

No. 472 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sarbjit Singh S/o Mr. Tara Singh R/o Rohi (Babliana), P/O Gadi Garh (Lower), Jammu vide Notification No. 1168 dated 18-02-2012 has been declared as absolute/final.

By order.

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Notification

No. 473 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shaheena Akhter D/o Mr. Ali Mohd Ganaie R/o Hardu Shichen, Dialgam, Anantnag vide Notification No. 1104 dated 19-03-2014 has been declared as absolute/final.

By order.

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Notification

No. 474 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Vandana Dogra D/o Mr. Rathan Lal Dogra R/o H. No. 66, W. No. 12, Vijaypur, Samba vide Notification No. 288 dated 23-05-2014 has been declared as absolute/final.

By order.

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Notification

No. 475 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kavita Sharma D/o Mr. Pawan Kumar Sharma

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R/o Shiv Timber Traders, Shanti Nagar, Tophsherkhania, Jammu vide Notification No. 122 dated 11-06-2010 has been declared as absolute/final.

By order.

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Notification

No. 476 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Richa Sharma D/o Mr. Ashwani Kumar Sharma R/o Near Hanuman Mandir, Kandoli, Nagrota, Jammu vide Notification No. 1157 dated 20-03-2014 has been declared as absolute/final.

By order.

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Notification

No. 477 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Moon Parshad S/o Mr. Rajinder Parshad R/o Village Ghat (Arnora), Tehsil and District Doda vide Notification No. 08 dated 04-04-2013 has been declared as absolute/final.

By order.

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Notification

No. 479 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shagun Kapoor D/o Mr. Sanjay Kapoor R/o H. No. 10, Dewan Temple Lane, Kachi Chowni, Jammu vide Notification No. 1014 dated 18-03-2014 has been declared as absolute/final.

By order.

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Notification

No. 480 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Yogesh Sharma S/o Mr. Ranjeet Kumar R/o Purani Poonch, Ward No. 16, H. No. 110, Poonch vide Notification No. 1141 dated 20-03-2014 has been declared as absolute/final.

By order.

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Notification

No. 481 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Shashi Kanta D/o Mr. Vijay Kumar R/o Chak Hasal, Bishnah, Jammu vide Notification No. 1041 dated 19-03-2014 has been declared as absolute/final.

By order.

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Notification

No. 483 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Sabia Gulzar D/o Mr. Gulzar Ahmad Bhat R/o Tral-i-Bala, Tehsil Tral, District Pulwama vide Notification No. 1348 dated 30-03-2015 has been declared as absolute/final.

By order.

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Notification

No. 484 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Roomie Jan D/o Mr. Ab. Hamid Naik R/o

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Reshipora, Kulgam vide Notification No. 351 dated 14-07-2014 has been declared as absolute/final.

By order.

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Notification

No. 485 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Zahida Majeed Bazaz D/o Mr. Ab. Majeed Bazaz R/o Ratnipora, Mohalla Andrabi, Tehsil Kakapora, District Pulwama vide Notification No. 175 dated 20-05-2015 has been declared as absolute/final.

By order.

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Notification

No. 486 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zubair Hussain Gul S/o Mr. Ghulam Qadir Gul R/o Maisuma, Gow Kadal 'B', Srinagar vide Notification No. 330 dated 08-07-2014 has been declared as absolute/final.

By order.

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Notification

No. 487 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ishfaq Ahmad Wani S/o Mr. Mohammad Munawar Wani R/o Madmadow Kalaroos, Kupwara vide Notification No. 329 dated 08-07-2014 has been declared as absolute/final.

By order.

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Notification

No. 488 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sarfaraz Nabi Lone S/o Mr. Gh. Nabi Lone R/o Wagub, Sopore, District Baramulla vide Notification No. 328 dated 08-07-2014 has been declared as absolute/final.

By order.

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Notification

No. 489 Dated 02-07-2016.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Saima Amin D/o Mr. Mohammad Amin R/o S. K. Colony, Sec-1, Qamarwari, Srinagar vide Notification No. 736 dated 14-11-2014 has been declared as absolute/final.

By order.

(Sd.) MOHAMMAD YASIN BEIGH,

Joint Registrar (Admn.).





THE  
**JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART I—B**

**Jammu and Kashmir Government — Notificatins.**

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—REVENUE DEPARTMENT.

Corrigendum to Notification No. 58-Rev (LAJ) of 2016  
Dated 30-08-2016.

Pleaese read **“Ramban”** intead of **“Rajouri”** and **“SDM, Gool”**  
instead of **“ACR, Ramban”** appearing in paras 4th and 6th respectively,  
of Notification No. 58-Rev. (LAJ) of 2016 dated 30-08-2016.

(Sd.) GHULAM RASOOL, KAS,

Deputy Secretary to Government,  
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—AGRICULTURE PRODUCTION DEPARTMENT.

Subject :— Settlement of overstayal period of Postgraduation in respect of Agriculture Officers.

Reference :—Director Agriculture, Kashmir Letter No. Agri/Estt/ Gaz-3506 dated 18-1-2016, No. Agri/Estt/ Gaz-3708 dated 25-01-2016, Agri/Estt/Gaz-3770 dated 01-02-2016, No. Agri/Estt/Gaz-3810 dated 03-02-2016 and No. Agri/Estt/Gaz/2015-16/4623 dated 24-02-2016.

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Government Order No. 66 Agri of 2016

Dated 26-2-2016.

Whereas, vide Government Order No. 337-Agri of 2012 dated 13-12-2012, a framework laying down policy for settlement of overstayal period of completing the Postgraduation was issued ; and

Whereas, as reported by the Director, Agriculture, Kashmir vide his Communication No. Agri/Estt/Gaz-3506 dated 18-01-2016 read with No. Agri/Estt/Gaz-3770 dated 01-02-2016 and No. Agri/Estt/Gaz /2015-16/4623, dated 24-2-2016, the Directors have settled the period of overstayal in respect of the officers as under :—

S. No.	Name of Officer	Reference Government Order No. and Date	Date of relieving from Deptt.	Date of joining back in Deptt.	Total period spend for pursuing Higher Studies	Excess overstayal period	Remarks
1	2	3	4	5	6	7	8
1.	Mohd Akbar Malik	Agri/E/55/91 3463-73 dated 27-09-1991	09-11-1991	17-10-1994	Y M D 2 11 6	Y M D - 11 6	Overstayed period settled by DAK vide A. O. No. 169/Estt. of 2014, dated 06-03-2014 as 53 days E/L already availed during MSc. Period. 187 days E/L and 96 days half pay leave.
2.	Bashir Ahmad Bhat	Agri/E/95/91 dated 12-09-1991	25-10-1991	02-01-1995	3 2 6	1 2 6	Overstayed period settled by DAK vide A. O. No. 576/Estt of



6. Sonaullah Mir	25-Agri of 1993 dt. 15-01-1993	02-03-1993	06-04-1996	3	1	4	1	1	4	Overstayed period settled by DAK vide A. O. No. 175/Estt. of 2014 dt. 24-03-2014, as 240 days E/L and 159 days half pay leave.
7. Farooq Ahmad Tantray	25-Agri of 1993 dated 15-01-1993	01-03-1993	01-01-1996	2	10	-	-	10	-	Overstayed period settled by DAK vide A. O. No. 169/Estt. of 2014 dated 06-03-2014, as 240 days E/L and 60 days half pay leave.
8. Ab. Rahim Samoon	25-Agri of 1993 dated 15-01-1993	01-03-1993	18-07-1995	2	4	17	-	4	17	Overstayed period settled by DAK vide A. O. No. 120/Estt. of 2014 dated 22-02-2014, as 132 days E/L.
9. Gh. Ahmad Bitchoo	166-Agri. of 1993 dated 02-03-1993	...	...	2	6	19	-	6	19	Overstayed period settled by DAK vide A. O. No. 214/Estt. of 2014 dated 11-06-2014, as 63 days E/L.

1	2	3	4	5	6	7	8				
					Y	M	D	Y	M	D	
10.	M. Nayeem Shah	423-Agri of 1994 dated 03-08-1994	...	...	3	-	15	1	-	15	Overstayed period settled by DAK vide A. O. No. 214/Estt. of 2014 dated 11-06-2014.
11.	Gh. Rasool Ganie	423-Agri. of 1994 dated 03-08-1994	08-08-1994	13-01-1998	3	5	6	1	5	6	Overstayed period settled by DAK vide A. O. No. 169/Estt. of 2014 dated 06-03-2014, as 270 days E/L and 251 half pay leave.
12.	Bashir Ahmad Darzi	423-Agri. of 1994 dated 03-08-1994	07-08-1994	14-10-1997	3	2	5	1	2	5	Overstayed period settled by DAK vide A. O. No. 576/Estt. of 2014 dated 31-12-2014, as 240 days E/L and 190 half pay leave.
13.	Faiz-ullah Gadoo	423-Agri of 1994 dated 03-08-1994	07-08-1994	16-09-1997	3	1	9	1	1	9	Overatayed period Settled by DAK vide A. O. No. 576/Estt of 2014 dated 31-12-2014.

14. M. Ashraf Andrabi	431-Agri. of 1995 dated 21-09-1995	09-10-1995	16-10-1998	3	-	7	1	-	7	as 240 days E/L, and 164 days half pay leave
										Overstayed period settled by DAK vide A. O. No. 169/Estt. of 2014 dated 06-03-2014, as 285 days E/L. and 87 half pay leave.
15. Iqbal Hussain Mir	431-Agri. of 1995 dated 21-09-1995	29-02-1996	05-08-1999	3	5	7	1	5	6	Overstayed period settled by DAK vide A. O. No. 169/Estt. of 2014 dated 06-03-2014, however, recovery, if any, effected is to be verified as 300 days E/ L and 222 days half pay leave
16. Farooq Ah. Sheikh	431-Agri. of 1994 dated 21-09-1995	23-09-1995	19-12-1998	3	2	11	1	2	11	Overstayed period settled by DAK vide A. O. No. 120/Estt. of 2014 dated 22-02-2014,





19. Fayaz Ahmad Qadri	431-Agri. of 1995 dated 21-09-1995	26-09-1995	13-09-1998	2	11	17	-	11	17	Overstayed period settled by DAK vide A. O. No.576/Estt. of 2014 dated 31-12-2014, as 300 days E/L, and 47 days half pay leave.
20. Hilal Ahmad Malik	431-Agri. of 1995 dated 21-09-1995	25-09-1995	30-04-1998	2	7	5	-	7	5	Overstayed period settled by DAK vide A. O. No.175/Estt. of 2014 dated 25-03-2014, as 215 days E/L.
21. Manzoor Ahmad Nazki	431-Agri. of 1995 dated 21-09-1995	27-09-1995	22-07-1999	3	9	27	1	9	27	Overstayed period settled by DAK vide A. O. No.169/Estt. of 2014 dated 06-03-2014, as 300 days E/L, and 362 days half pay leave.
22. Aijaz Ahmad Tak	431-Agri. of 1994 dated 21-09-1995	25-09-1995	23-12-1999	3	9	29	1	2	29	Overstayed period settled by DAK vide A. O. No.576/Estt. of 2014 dated 31-12-2014,



26. Jan Mohammad Kuchay	436-Agri. of 1996 dated 21-08-1996	...	3	7	9	1	7	9	as 300 days E/L, and 299 days half pay leave.
			...						Overstayed period settled by DAK vide A. O. No.175/Estt. of 2014 dated 25-03-2014, as 285 days E/L, and 299 days half pay leave.
27. Gh. Mohammad Mir	436-Agri. of 1996 dated 21-08-1996	23-08-1996	3	1	21	1	1	21	Overstayed period settled by DAK vide A. O. No.175/Estt. of 2014 dated 25-03-2014, as 300 days E/L, and 116 days half pay leave.
			13-10-1999						Overstayed period settled by DAK vide A. O. No.214/Estt. of 2014 dated 11-06-2014, as 300 days E/L, 09 months and 18 days half pay leave.
28. Hamida Shah	436-Agri. of 1996 dated 21-08-1996	...	2	11	15	-	11	15	Overstayed period settled by DAK vide A. O. No.214/Estt. of 2014 dated 11-06-2014, as 300 days E/L, 09 months and 18 days half pay leave.

1	2	3	4	5	6			7			8
					Y	M	D	Y	M	D	
29.	Ab. Rashid Yatoo	436-Agri. of 1996 dated 21-08-1996	10-08-1996	31-07-1999	2	11	21	-	11	21	Overstayed period settled by DAK vide A. O. No.169/Estt. of 2014 dated 06-03-2014, as 300 days E/L, and 51 days half pay leave.
30.	Mohd Iqbal Khan	443-Agri. of 1997 dated 22-08-1997	19-09-1997	14-11-2000	3	1	25	1	1	25	Overstayed period settled by DAK vide A. O. No.576/Estt. of 2014 dated 31-12-2014, as 300 days E/L, and 120 days half pay leave.
31.	Gh. Nabi Bhat	483-Agri. of 1992 dated 24-09-1996	18-11-1991	30-7-1991	2	8	12	-	8	12	Overstayed period settled by DAK vide A. O. No.576/Estt. of 2014 dated 31-12-2014, as 240 days E/L, and 12 days half pay leave.

32. Talid Riyaz Banday	535-Agri. of 1998 dated 18-12-1998	28-02-1999	04-04-2002	3	1	5	1	1	5	Overstayed period settled by DAK vide A. O. No.169/Estt. of 2014 dated 06-03-2014, as 300 days E/L, and 100 days half pay leave.
33. Fida Ali	535-Agri. of 1998 dated 18-12-1998	27-02-1999	27-07-2001	2	4	27	-	4	27	Overstayed period settled by DAK as 147 days E/L.
34. Bashir Ahmad Bhat	295-Agri. of 2002 dated 23-9-2002 read with GO No. 79-Agri. of 2003 dated 26-03-2003	6-03-2003	22-07-2005	2	4	16	-	4	16	Overstayed period settled by DAK as 136 days E/L.
35. Peer Mohd Iqbal	535-Agri. of 1998 dated 18-12-1998	01-03-1999	16-08-2001	2	5	15	-	5	15	Overstayed period settled by DAK as 165 days E/L.
36. Mohd Ramzan Wani	535-Agri. of 1998 dated 18-12-1998	01-03-1999	16-08-2001	2	5	15	-	5	15	Overstayed period settled by DAK as 165 days E/L.

1	2	3	4	5	6			7			8
					Y M D			Y M D			
37.	Zahoor Ahamad Ganie	25-Agri. of 1993 dated 15-01-1993	01-03-1993	26-04-1996	3	1	25	1	1	25	Overstayed period settled by DAK as 240 days E/L, and 180 days half pay leave.
38.	Nisar Ahmad Khan	423-Agri of 1994 dated 3-08-1994	08-08-1994	30-07-1997	2	11	23	-	11	23	Overstayed period settled by DAK as 255 days E/L, and 98 days half pay leave.
39.	Syed Waseem Ahmad	Agri-E/8/93/ GNL/Gaz dated 18-08-1994 read with 708-Agri. of 1994 dated 27-09-1994	11-08-1994	10-06-1997	2	10	-	-	10	-	Overstayed period settled by DAK as 240 days E/L, and 60 days half pay leave.
40.	Ab. Qayoom Lawdari	443-Agri. of 1997 dated 22-08-1997	08-10-1996	24-09-1999	2	11	16	-	11	16	Overstayed period settled by DAK as 300 days E/L and 46 days half pay leave.

41. Farooq Ahmad Shah	469-Agri. of 1994 dated 31-08-1994	06-09-1994	09-07-1997	2	10	2	-	10	2	Overstayed period settled by DAK as 255 days E/L, and 47 days half pay leave.
42. Dildar Ahmad Shah	436-Agri. of 1996 dated 21-08-1996	23-08-1996	22-01-2000	3	5	-	1	5	-	Overstayed period settled by DAK as 300 days E/L, and 215 days half pay leave.
43. Tabasum Naaz	436-Agri. of 1996 dated 21-08-1996	23-08-1996	15-09-1999	3	-	22	1	-	22	Overstayed period settled by DAK as 279 days E/L, and 108 days half pay leave.
44. N. K. Pajnoo	Agri./E/88/ 1996 dated 02-08-1988	05-08-1988	27-01-1993	3	5	22	2	5	22	Overstayed period settled by DAK as 240 days E/L, and 240 days half pay leave, 432 days Extra Ordinary Leave.
45. Roshan Ahmad Ganie	295 Agri. of 2002 dated 23-09-2002	04-03-2003	05-10-2005	3	1	9	1	1	9	Overstayed period settled by DAK as 210 days E/L.

1	2	3	4	5	Y M D			7	8
		read with GO No. 79-Agri of 2003 dated 26-03-2003							
46.	Shakeel Ahmad Chan	436-Agri.of 1996 dated 21-08-1996	24-08-1996	06-10-1999	3	1	25	1	25
									Overstayed period settled by DAK as 285 days E/L, and 123 days half pay leave.
47.	Gh. Hassan Langoo	443-Agri.of 1997 dated 22-08-1997	20-09-1997	01-06-2000	3	2	29	1	29
									Overstayed period settled by DAK as 255 days E/L days.
48.	Asmat Jan	436-Agri.of 1996 dated 21-08-1996	07-10-1996	23-09-1999	3	2	6	1	6
									Overstayed period settled by DAK as 285 days E/L, and 51 days half pay leave,
49.	Syed Javaid Ah.	431 Agri.of 1995 dated 21-09-1995	25-09-1995	07-11-1998	3	11	12	1	12
									Overstayed period settled by DAK as 255 days E/L, and 155 days half pay leave.



50. Ghulam-ud-Din Mir	469-Agri.of 1994 dated 31-08-1994	3-09-1994	06-08-1997	3	11	3	-	11	3	Overstayed period settled by DAK as 188 days E/L, and 145 days half pay leave.
51. Nisar Ahmad Shah	237-Agri.of 2003 dated 8-09-2003	08-09-2003	27-04-2006	2	7	19	-	7	19	Overstayed period settled by DAK as 229 days E/L.
52. Shabir Ahmad Wafai	46-Agri.of 2003 dated 25-02-2003	05-03-2003	23-09-2005	2	6	18	-	6	18	Overstayed period settled by DAK as 198 days E/L.

Whereas, it has also been pointed out by the Director, Agriculture, Kashmir that the period decided by the Directors at their own level is beyond the scope of law and needs a review ; and

Whereas, the matter has been examined in the Administrative Department in terms of Government Order No. 337-Agri. of 2012 dated 13-12-2012/Leave Rules in vogue at the relevant point of time, it has been felt that the settlement of overstayed period ordered by the Director, Agriculture, Kashmir in the above cases needs a review as these have not been settled in accordance with rules/policy as contained in Government Order No. 337-Agri. of 2012 dated 13-12-2012.

Now, therefore, in terms of the Leave Rules applicable at the relevant point of time read with Government Order No. 337-Agri. of 2012 dated 13-12-2012 and in supersession/partial modification of orders issued from time to time on the subject by the Director, Agriculture, Kashmir as referred hereinabove, sanction is hereby accorded to the settlement of overstayal period by the Director, Agriculture, Kashmir of the above mentioned officers as Extraordinary leave without allowances, for the periods indicated against each. The status of the cases settled by the Director, Agriculture, Kashmir in accordance with the rules/policy shall, however, not be disturbed. Any other case settled by the Director, in violation of the rules shall immediately be referred to the Administrative Department for review/settlement.

Further, it is ordered that the recoveries against all the officers, who have drawn any pay while pursuing higher studies to which they were not entitled to shall be recovered under rules.

This issues with the concurrence of the Director (Finance), Agriculture Production Department.

By order of the Government of Jammu and Kashmir.

(Sd.) MOHAMMAD ASHRAF BUKHARI, IAS,

Commissioner/Secretary to Government,  
Agriculture Production Department.



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART II—A**

**Orders by Heads of Departments.**

CHARGE REPORTS

Subject :—Charge Report.

Certified that we the undersigned have respectively handed over/  
taken over the charge of the post of Chief Horticulture Officer, Kathua  
today on 1st November, 2016 (F. N.) with the details of Cash Balance as  
under :—

S. No.	Name of the scheme	Account No.	Name of the Bank	Amount available as on 31-10-2016
1	2	3	4	5
1.	MIDH/HMNEH	19294	J&K, Main Branch, Kathua	Rs. 2531.00/-

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1	2	3	4	5
2.	National Mission on Micro Irrigation	238	J&K, Main Branch, Kathua	Rs. 1187.00/-
3.	National Mission Medicinal Plants	0047	J&K, Main Branch, Kathua	Rs. 221.00
4.	ATMA	235	J&K, Main Branch, Kathua	Rs. 2657.00/-

(Sd.) TARVINDER SINGH,  
Joint Director, Horticulture.

Relieved Officer.

(Sd.) AJEET KUMAR SHARMA,  
Chief Horticulture Officer, Kathua.

Relieving Officer.



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JAMMU & KASHMIR GOVERNMENT GAZETTE**

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**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the Land Acquisition Act,  
to the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required  
for public purpose namely for widening of Rajouri Sair Puni road  
declared by J&K Government, Revenue Department vide Notification  
No. 62-Rev(LAJ) of 2016 dated 31-08-2016 issued under endorsement  
No. Rev/LAJ/100/2016-Goder dated 31-08-2016. All the persons  
interested in the said land are informed to attend this office personally  
or by an agent within 15 days to state the nature of their respective

interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
				K. M.
Rajouri	Rajouri	Goder	138/2	01-02
			189	03-09
			191	00-05
			187/1	01-01
			190	00-01
			187	00-14
			139	01-05
			234	00-05
			231	00-06
			187/5	01-17
			192	00-01
			105	24-13
			G. Total	34-19

(Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch-Rajouri Hq., Rajouri.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the Land Acquisition Act, to  
the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required for public purpose namely for widening of Jammu-Rajouri-Poonch D/L road by GREF, declared by J&K Government, Revenue Department vide Notification No. 50-Rev (LAJ) of 2016 dated 10-08-2016 issued under endorsement No. Rev/LAJ/101/2016-Pathan Mohra dated 10-08-2016. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Rajouri	Rajouri	Pathan Mohra	50	04-11
			66	00-09
			105	00-01
			107	00-09
			105	01-03

1	2	3	4	5
				K. M.
			106	00-02
			108	00-13
		G. Total		07-08

(Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch, Rajouri Hq., Rajouri.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the Land Acquisition Act, to  
the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required for public purpose namely for widening of Jammu-Poonch D/L specification road by GREF, declared by J&K Government, Revenue Department vide Notification No. 45-Rev (LAJ) of 2016 dated 29-06-2016 issued under endorsement No. Rev/LAJ/54/2016-Bathuni dated 29-06-2016. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and



particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land				
District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Rajouri	Rajouri	Bathuni	807 min/504	01-13
			686 min	00-15
			688	00-07
			691 min	00-04
			699	00-18
			701	01-08
			703	01-08
			705	01-06
			707 min	20-09
			713	00-18
			715	00-06
			717	01-17
			719	01-15
			721	00-03
			723	02-17

1	2	3	4	5
				K. M.
			728	01-15
			731	00-03
			734 min	00-07
			742	00-12
			744	02-00
			747	00-06
			754	00-09
			727	00-08
			634 min/1	02-11
			687 min	00-04
			689	03-17
			692 min	00-15
			700	00-06
			702	00-08
			704	03-00
			706 min	00-02
			712	00-05
			714	02-10

1	2	3	4	5
				K. M.
			716	02-17
			718	00-04
			720	00-03
			722	02-16
			724	03-00
			730	00-05
			732 min	00-07
			735 min	01-04
			743	02-02
			746	06-06
			753	00-03
			766	04-02
			G. Total	79-11

(Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch, Rajouri Hq., Rajouri.

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GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the land Acquisition Act, to  
the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required for public purpose namely for widening of Jammu-Poonch D/L specification road by GREF, declared by J&K Government, Revenue Department vide Notification No. 78-Rev (LAJ) of 2016 dated 23-09-2016 issued under endorsement No. Rev/LAJ/121/2016-Salani dated 23-09-2016. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
Rajouri	Rajouri	Salani	01	K. M. 00-04
			02 min	01-00
			08 min	00-01
			48	02-07
			49	00-06
			96	01-15

1	2	3	4	5
				K. M.
			02	03-08
			120/11/2	03-08
			47	28-06
			48/1	05-01
			50	00-08
			98	02-11
			G. Total	48-15

(Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch, Rajouri Hq., Rajouri.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the Land Acquisition Act, to  
the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required  
for public purpose namely for widening of Jammu-Poonch D/L  
specification road by GREF, declared by J&K Government,  
Revenue Department vide Notification No. 69-Rev (LAJ) of 2016 dated

31-08-2016 issued under endorsement No. Rev/LAJ/110/2016-Chenani Bagla dated 31-08-2016. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M. S.
Rajouri	Rajouri	Chenani Bagla	11	01-04-00
			12/1	01-07-00
			14 min	00-18-00
			15 min	00-03-00
			20/1	03-01-00
			22 min	00-19-00
			24 min	01-03-00
			33 min	00-09-00
			48 min	00-01-00
			50 min	02-16-06
			50/2	00-07-00
			52	00-01-00
			78/54 min	02-00-00
			56 min	00-02-00

1	2	3	4	5
				K. M. S.
				57/1 02-04-00
				12 min 01-08-00
				13 min 02-14-07
				10 min 02-19-00
				20 min 02-02-00
				21 03-15-00
				23 min 00-10-00
				24/1 01-01-00
				34 min 00-09-00
				49 min 02-13-00
				50/1 00-03-00
				51 03-19-00
				53 min 00-06-00
				79/54 min 00-02-00
				57 min 00-15-00
				57/2 00-09-00
			G. Total	40-01-04

(Sd.) (Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch, Rajouri Hq., Rajouri.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE COLLECTOR, LAND ACQUISITION, DEFENCE,  
RAJOURI/POONCH HEADQUARTER, RAJOURI.

Subject :—Notice under sections 9 & 9 (A) of the Land Acquisition Act, to  
the persons interested in the land to be acquired.

Whereas, the land whose specification is given below is required for public purpose namely for widening of Jammu-Rajouri-Poonch D/L road by GREF, declared by J&K Government, Revenue Department vide Notification No. 60-Rev (LAJ) of 2016 dated 31-08-2016 issued under endorsement No. Rev/LAJ/2016-Androlla dated 31-08-2016. All the persons interested in the said land are informed to attend this office personally or by an agent within 15 days to state the nature of their respective interests in the land, the amount and particulars of their claim to compensation for such interests and their objections, if any, to the measurement of the land.

Specification of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M.
Rajouri	Rajouri	Androlla	03 min	06-01
			01 min	06-08
			593/59 min	04-05
			591/1 min	11-04
			587/1	00-13



1	2	3	4	5
				K. M.
			589/1	00-08
			588/1	00-04
			G. Total	29-03

(Sd.) ABDUL QAYOOM MIR, KAS,

Collector,  
Land Acquisition, Defence,  
Poonch, Rajouri Hq., Rajouri.

Notice

The name of my father has wrongly been entered in my Departmental Identity Card of Income Tax Department vide No. FTWPS4185N as Jaggar Singh instead of correct name Jagar Mal. I am applying for correction of the same. Objection, if any, may be conveyed to concerned authorities within seven days of publication of this notice.

Kasturi Singh S/o Jagar Mal  
R/o 527, Lane No. 1,  
Main Road, Digiana, Jammu.

GOVERNMENT OF JAMMU AND KASHMIR  
(REHABILITATION DEPARTMENT),  
OFFICE OF THE DEPUTY CUSTODIAN, EVACUEE  
PROPERTY, DISTRICT POONCH.

Notification

Dated 27-07-2016.

In pursuance of sub-section (1) section 6 of the Jammu and Kashmir State Evacuee (Administration of Property) Act VI 2006, the

Deputy Custodian is pleased to notify for general information the list of Evacuees Properties specified in the schedule annexed hereto, which have vested in him.

Schedule

S. No.	Description	Location
01.	1. Land measuring 3 Kanals 3 Marlas covered under Khasra No. 118 belonging to Alli Akbar, Ali Hader, Mohd. Afsir, Bahadhar Ali, Sadaq Hussain, Barkat Hussain, Shar Dil Khan, Ali Badha Khan, Fatha Hader Khan evacuees of 1947 as per Jamabandi, 1961-62 issued by Record Room, Haveli, Poonch.	Village Gohlad Tehsil Mendhar, District Poonch.

(Sd.) A. R. SHELKH,

Deputy Custodian,  
Evacuee Property,  
District Poonch.

NOTICE

My and my father's name has wrongly been written as Chander Mani Langeh S/o Shri Babu Ram Langeh instead of Chander Mani S/o Shri Kutti Ram in my PAN Card bearing Reg. No. ACDPLO279K. Now, I am applying for correction of the same. Objections, if any, may be conveyed to Income Tax Office, Jammu within 7 days.

Chander Mani  
S/o Shri Kutti Ram,  
R/o Village Chack Bhalwal,  
Seri Panditan, Jammu.



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separate compilation.

**ADVERTISEMENTS—C**

OFFICE OF THE EXECUTIVE ENGINEER, TRANSMISSION LINE  
MAINTENANCE DIVISION-I, JANIPUR, JAMMU.

Power Development Department J&K Notice Inviting e-Bids

(Notice Inviting Tender)

The Executive Engineer, Transmission Lines Maintenance Division-I, Jammu, Power Development Department, J&K, for and on behalf of the Governor, Jammu and Kashmir State invites online e-Bids from experienced, reputed competent and financially sound Contractors/Companies/Firms/Joint Ventures for Turn Key Package for REPLACEMENT OF OLD SF6 BREAKERS BY SUPPLY, ERECTION, TESTING AND COMMISSIONING OF 2 NOS. 145 KV SF6 CIRCUIT BREAKERS INCLUDING CIVIL WORKS OF DISMANTLING OLD AND LAYING OF NEW BREAKER FOUNDATIONS FOR GRID STATION, JANIPUR IN JAMMU

AND KASHMIR STATE, fulfilling eligibility and qualification requirements specified in the bidding documents. Bidders are advised to study the bidding document carefully. Submission of e-Bid against this Standard Bidding Document (SBD) shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the Standard Bidding Document with full understanding of its implications. The tender document is available at website <http://jktenders.gov.in>. Interested bidders may view/download the e-Bid document, submit their e-Bid online up to the date and time mentioned in the table below :—

Scope of the Work	Estimated Cost	Earnest Money	Cost of Tender Documents	Last date of e-Bids submission online
Replacement of old SF6 breakers by supply, installation, testing, commissioning and erection of 02 Nos. 145 KV SF6 Circuit Breakers including civil works of dismantling old laying of new breaker foundations for Grid Station, Janipur, Jammu in Jammu and Kashmir State F. O. R. at respective Grid.	Rs. 25.00 Lacs	Rs. 0.50 Lacs	Rs. 5000/- (Rupees five thousand only) in the shape of non-refundable bank draft drawn in favour of Executive Engineer, Transmission Line Maintenance Division-I, Jammu	09-12-2016
a. Date and time of downloading of Standard Bidding Document	The Standard Bidding Document can be downloaded over <a href="http://jktenders.gov.in">http://jktenders.gov.in</a> from 16-11-2016 (4.00 PM onwards).			

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b. Tender Document Sale and Download end date	28-11-2016 (up to 4.00 PM.
c. Pre-bid meeting	22-11-2016 at 1200 hrs. in the Office of Executive Engineer, TLMD-I, Janipur, Jammu—180007 for any clarification if required.
d. e-Bid submission start date (Submission of e-Tender fee, EMD and other supporting documents in PDF/XLS format)	28-11-2016 from 4.00 PM.
e. Last date for submission of hard copy of e-Bid	03-12-2016 at 4.00 PM.
f. e-Bid submission end date and time	07-12-2016 at 2.00 PM.
g. Online Commercial and Technical e-Bid opening date and time	09-12-2016 at 2.00 PM.
h. On-line financial e-Bid opening date and time	Will be communicated to the Technically Qualified Bidders.
i. Estimated cost	Rs. 25.00 Lacs.
j. Venue of opening of Technical and Financial e-Bids	The Office of Executive Engineer, TLMD-I, Janipur, Jammu-180007.
k. Amount of Earnest Money Deposit	Rs. 0.50 Lacs.

Time for downloading of tender document :

From 16-11-2016 (4:00 PM onwards) to 09-12-2016 (up to 2: PM) from the website of <http://jktenders.gov.in>.

The bid of the firms/contractors/self-help groups/companies/joint ventures involved in the litigation/arbitration with the PDD without completing the works allotted to them, shall not be considered.

Period of completion : 03 Months. After the issue of LOA.

Status of Fund : To be funded under T&D.

The qualifying criteria for the bidders shall be the following :—

(1) The bidder shall have the following minimum Qualification Criteria for submitting the bid :—

(a) Average annual financial turnover during the last 3 years, ending 31st March of the previous financial year, should be at least 30% of the estimated cost.

(b) Experience of having successfully completed similar works during last 5 years ending last day of month previous to the one in which applications are invited should be either of the following :—

(i) Three similar completed works costing not less than the amount equal to 40% of the estimated cost.

or

(ii) Two similar completed works costing not less than the amount equal to 50% of the estimated cost.

or

(iii) One similar completed works costing not less than the amount equal to 80% of the estimated cost.

(c) Equipment proposed shall be of similar or higher rating which should be in service for a minimum period of two (2) years and satisfactory performance certificate in respect of this is to be submitted.

(2) E-Bids can be submitted by—

(i) A single firm that meets all qualification requirements set forth above.

(ii) A joint venture of firms not more than two who shall meet all qualification requirements set forth above individually or jointly. Either of the partner can be designated as lead partner on whose name tender shall be purchased.

- (iii) All the e-Bids must be accompanied by the scanned copy of EMD in the form of Bank Guarantee pledged to the Executive Engineer, Transmission Line Maintenance Division-I, Janipur, Jammu, J&K. No interest would be payable on Earnest Money deposited with the department.
  - (iv) To submit Hard Copy of original instrument of EMD to Executive Engineer, Transmission Line Maintenance Division-I, Janipur, Jammu, J&K at least two days before the opening of the Commercial and Technical e-Bid (latest by 07-12-2016).
- (3) The date and time of opening of Financial Bids shall be notified on Website <http://jktenders.gov.in>. This will be conveyed to the qualified bidders automatically through an e-Mail message on their e-Mail address. The financial bids shall be opened accordingly online on same Website at the Office of Executive Engineer, TLMD-I Janipur, Jammu (PDD), J&K. The e-Bids will be electronically opened in the presence of bidder's representatives, who choose to attend at the venue, date and time mentioned in the above table. The bidder's representative attending the opening shall have to produce an authority letter issued by the firm.
- (4) This SBD is available on the website <http://jktenders.gov.in> to enable the bidders to view, download the e-Bid document and submit e-Bids online up to the last date and time mentioned in e-Tender notice/e-Tender document against this e-Tender. The bidders shall have to pay the e-bid document fee of Rs. 5000/- (Rupees five thousand only) through Demand Draft payable to Executive Engineer, Transmission Line Maintenance Division-I, Janipur, Jammu. The scanned copy of the Demand Draft must be uploaded along with the e-Bid but the original Demand Draft should reach the office of Executive Engineer, Transmission Line Maintenance Division-I, Janipur, Jammu, J&K before opening of tender i. e. before 09-12-2016. The e-Tender document fee will be non-refundable.
- (5) The bidder should submit six set of duly signed and stamped hard copy of SBD except Price Bid to the Office of Executive

Engineer, Transmission Line Maintenance Division-I, Janipur,  
Jammu, J&K before two days of e-Bid submission.

- (6) The Executive Engineer, Transmission Line Maintenance Division-I, Jammu, Power Development Department reserves the right to reject any or all the e-Bid documents without assigning any reasons thereof.
- (7) The bidder should visit the Grid Station, Janipur, Jammu before quoting and acquaint himself with the prevailing conditions/ existing system there.
- (8) Bidder/contractor has to complete all the works which may not have been mentioned in the BoQ but necessary for completion of replacement of old SF6 breakers by supply, erection, testing and commissioning of 2 Nos. 145 KV SF6 circuit breakers including civil works of dismantling old and laying of new breaker foundations for Grid Station, Janipur in Jammu and Kashmir State.

(Sd.) .....

Executive Engineer,  
TLMD-I, Janipur, Jammu.





رجسٹرڈ نمبر جے کے۔ 33

# جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 129۔ جموں۔ مورخہ 8 دسمبر 2016ء بمطابق 17 اگراہنا 1938ء ویروار۔ نمبر 36

## اشتہارات

از عدالت منصف جوڈیشل مجسٹریٹ درجہ اول اودھم پور

سرکار بنام کمبد وغیرہ

مثل نمبر 78 / چالان، تاریخ دائرہ 26-09-2011

مقدمہ علت نمبر 227 سال 2011ء، تھانہ پولیس اودھم پور

جرم زیر دفعہ 188 RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام : جملہ اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزمہ بالو دختر نور دین قوم گوجر ساکنہ کریر تحصیل و ضلع اودھم پور کے خلاف SPO صاحب نے چالان پیش کر کے استدعا کی ہے کہ ملزمہ بعد ارتکاب جرم روپوش ہو چکا ہے اور مذکورہ کی سر دست دستیابی کی کوئی اُمید نہ ہے۔ اس نسبت بیان تعمیل کنندہ و I/O قلمبند کیا گیا، جس سے عدالت ہذا کو اطمینان ہوا ہے کہ ملزمہ بعد ارتکاب جرم روپوش ہو گیا ہے اور مذکورہ کی حسب معمول دستیابی عمل میں لائی جانی ناممکن ہے۔

لہذا جملہ اہلکاران پولیس ریاست جموں و کشمیر کو وارنٹ ہذا کی رو سے حکم و اختیار دیا جاتا ہے کہ ملزمہ متذکرہ جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر میں دستیاب ہو تو مذکورہ کو گرفتار کر کے عدالت مجاز میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزمہ زیر کار رہے گا۔

وارنٹ ہذا آج مورخہ 26-08-2016 میرے دستخط و مہر عدالت سے

جاری ہوا۔ تحریر اُلصدر

دستخط : منصف جوڈیشل مجسٹریٹ درجہ اول اودھم پور۔

از عدالت چیف جوڈیشل مجسٹریٹ راجوری  
سرکار بنام جمال دین وغیرہ

مشل نمبر 248 / چالان، دائرہ 06-12-2013، فیصلہ رواں

آئندہ تاریخ پیشی 06-05-2016

علت نمبر 502 سال 2013ء، تھانہ پولیس راجوری

بجرائم زیر دفعات 341/323/34RPC

وارنٹ کشتی گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزم : محمد اشرف ولد جمال دین قوم گوجر ساکنہ وکلڈ رہ سوبہ تحصیل راجوری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

بمقدمہ مندرجہ عنوان اُلصدر میں ملزم متذکرہ صدر کے خلاف بروئے

حکم امروزہ کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ کشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

کی رو سے حکم اختیار دیا جاتا ہے کہ اگر ملزم مذکور متذکرہ صدر اندر حدود ریاست جموں و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہوا تو اُس کے تحت ضابطہ گرفتار کر

کے عدالت ہذا میں پیش کیا جاوے۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔

تحریر 21-04-2016

سرکار بنام محمد اکثر وغیرہ

مثل نمبر 149 / چالان، دائرہ 25-09-2014، فیصلہ 04-04-2016

علت نمبر 231 سال 2014ء، تھانہ پولیس راجوری

بجرائم زیر دفعات RPC 451/354/323

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف

بخلاف ملزمان : (1) محمد اکیزا (2) محمد خلیل پسران عبدال کریم اتوام گوجر ساکنان سہیل دھبڑا  
تحصیل ضلع راجوری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

بمقدمہ مندرجہ عنوان اُلصدر میں ملزمان متذکرہ صدر کے خلاف  
بروئے حکم امروزہ کارروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور  
ملزمان کے خلاف وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔  
لہذا آپ کو اصل وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف کی رو سے حکم  
واختیار دیا جاتا ہے کہ اگر ملزمان مذکور یاں متذکرہ صدر اندر حدود ریاست جموں و کشمیر  
جب کبھی اور جہاں کہیں بھی دستیاب ہوں تو ان کے تحت ضابطہ گرفتار کر کے عدالت ہذا  
میں پیش کیا جاوے۔ وارنٹ ہذا تا دستیابی ملزمان زیر کار رہے گا۔

تحریر 04-04-2016

دستخط : چیف جوڈیشل مجسٹریٹ راجوری۔



EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.129] Jammu, Thu., the 15th Sept., 2016/24th Bhad., 1938. [No. 24-b

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Power Section)

Notification

Srinagar, the 15th of September, 2016.

SRO-298.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri Jatinder Mishra (KAS), Assistant

Commissioner (Revenue), Kathua to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within his territorial jurisdiction of District Kathua.

The Government further in exercise of the powers conferred by subsection (2) of section 10 of the said Code, appoint the aforesaid Executive Magistrate as Additional District Magistrate within his territorial jurisdiction of District Kathua and shall have all the powers of District Magistrate under the said Code.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.129] Jammu, Tue., the 20th Sept., 2016/29th Bhad., 1938. [No. 24-e

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS

Notification

Srinagar, the 20th September, 2016.

SRO-301.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat, 1989, the Government hereby appoints the following officers to be the Executive Magistrates of the 1st Class who shall exercise all the powers of an Executive

Magistrate of the 1st Class within their respective territorial jurisdiction of District Rajouri :—

S. No.	Name of Officer	Posted as
1.	Shri Mohammad Riaz	Tehsildar, Nowshera
2.	Shri Salam Din, Jr. KAS	Tehsildar, Rajouri
3.	Shri Suneet Singh	I/c Tehsildar, Kalakot
4.	Shri Vijay Kumar Sharma	I/c Tehsildar, Sunderbani
5.	Shri Shahid Iqbal	I/c Tehsildar, Thanamandi

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,  
Department of Law, Justice and Paliamentary Affairs.





**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.129] Jammu, Tue., the 20th Sept, 2016/29th Bhad., 1938. [No. 24-f

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—COOPERATIVE DEPARTMENT

Notification

Srinagar, the 20th September, 2016.

SRO-302.—In exercise of the powers conferred by sub-section (4) of section 29 of the Jammu and Kashmir Cooperative Societies Act, 1989, and in supersession of all previous notifications/orders on the subject, the Government hereby appoints the Board of Management for managing the

affairs of the Jammu and Kashmir Cooperative Supply and Marketing Federation (JAKFED) Ltd., comprising of the following, namely :—

- |   |                  |
|---|------------------|
| 1. Hon'ble Minister for Cooperatives  | Chairman         |
| 2. Hon'ble Minister of State for Cooperatives                                   | Vice-Chairman    |
| 3. Administrative Secretary, Planning,<br>Development and Monitoring Department | Member           |
| 4. Administrative Secretary, Finance Department                                 | Member           |
| 5. Administrative Secretary, Cooperatives<br>Department                         | Member           |
| 6. Registrar Cooperative Societies, J&K   | Member           |
| 7. Managing Director, JAKFED Ltd.   | Member-Secretary |

The tenure of the Board of Management shall be for three months or till the elections are held, whichever is earlier.

By order of the Government of Jammu and Kashmir.

(Sd.) HEMANT KUMAR SHARMA, IAS,

Secretary to Government,  
Cooperatives Department.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol.129] Jammu, Tue., the 20th Sept, 2016/29th Bhad., 1938. [No. 24-h

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

---

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS

Notification

Srinagar, the 20th September, 2016.

SRO-304.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat, 1989, the Government hereby appoints the below mentioned officers to be the

Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within the jurisdiction as shown against each :—

S. No.	Name of the Officer	Designation	Jurisdiction
	S/Shri		
1.	Mohammad Saleem Khan	Dy. Custodian	Anantnag, Pulwama/Shopian and Kulgam.
2.	Mohammad Iqbal Haji	do.	Kathua.
3.	Gh. Nabi Mir	do.	Headquarter Jammu with additional charge of District Reasi.
4.	Aijaz Ahmad	do.	Baramulla and Kupwara.
5.	Ab. Rashid Sheikh	do.	Poonch.
6.	Ashok Kumar Safaya	do.	Rajouri.
7.	Mushtaq Ahmad Baqal	do.	Headquarter Srinagar with Districts Budgam and Ganderbal.
8.	Abdul Qayoom Qadri	do.	Udhampur.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Vol. 129] Jammu, Thu., the 22nd Sept., 2016/31st Bhad., 1938. [No. 25-a

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**PART I-B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT  
DEPARTMENT

Notification

Srinagar, the 22nd September, 2016.

SRO-306.—Whereas, the management of M/s. Free India Gun Manufactures, Satwari, Jammu C/o 6, Industrial Estate, Extension Area, Ashok Nagar, Satwari Cantt. through its partner S. Sharanjit Singh S/o Late Kartar Singh R/o 355, Sant Market, Below Gumat, Jammu has terminated the services of its workman namely Krishan Lal and 12 others ; and

Whereas, the aforesaid workman and 12 others raised a dispute against the Management of M/s. Free India Gun Manufactures, Satwari, Jammu C/o 6, Industrial Estate, Extension Area, Ashok Nagar, Satwari Cantt. through its partner S. Sharanjit Singh S/o Late Kartar Singh R/o 355, Sant Market, Below Gumat, Jammu before the Conciliation Officer (Assistant Labour Commissioner), Jammu ; and

Whereas, all efforts were made by Conciliation Officer during the conciliation proceedings to settle the dispute but both the parties were adamant on their stand and not willing to settle the dispute through negotiation ; and

Whereas, the Conciliation Officer (Assistant Labour Commissioner), Jammu submitted his failure report recommending the case for its reference to the Labour Court for adjudication ; and

Whereas, the Government is of the opinion that an industrial dispute exists between the M/s. Free India Gun Manufactures, Satwari, Jammu C/o 6, Industrial Estate Extension Area, Ashok Nagar, Satwari Cantt. through its partner S. Sharanjit Singh S/o Late Kartar Singh R/o 355, Sant Market, Below Gumat, Jammu and the aforesaid workman and 12 others ; and

Whereas, the Government considers it desirable to refer the said dispute to the Labour Court for adjudication.

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Government hereby refers the said dispute to the Labour Court for adjudication on the following issues :—

1. Whether M/s. Free India Gun Manufactures, Satwari, Jammu is legally justified in terminating the services of its workman namely Krishan Lal and 12 others ?
2. If not, to what relief they are entitled to ?

By order of the Government of Jammu and Kashmir.

(Sd.) NIRMAL SHARMA, IAS,

Secretary to Government,  
Labour and Employment Department.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Jammu, Thu., the 22nd Sept., 2016/31st Bhad., 1938. [No. 25-b

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOUSING AND URBAN  
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 22nd September, 2016.

SRO-307.—In exercise of the powers conferred by section 4 of the Jammu and Kashmir Development Act, 1970 (XIX of 1970) and in supersession of Notification SRO-135 dated 28-03-2013, the Government hereby appoint the following as Members of the Katra Development Authority constituted vide Notification SRO-579 dated 12-09-1986 :—

- |   |               |
|---|---------------|
| 1. Chief Minister   | Chairman      |
| 2. Minister for Housing and Urban<br>Development Department | Vice-Chairman |

3. MLA, Reasi	Member
4. Administrative Secretary, Planning and Dev. Department	Member
5. Administrative Secretary, Finance Department	Member
6. Administrative Secretary, Housing and UD Department	Member
7. Divisional Commissioner, Jammu	Member
8. Additional CEO, SMVDSB	Member
9. Deputy Commissioner, Reasi	Member
10. Director, Urban Local Bodies, Jammu	Member
11. Chief Town Planner, Jammu	Member
12. Chief Executive Officer, KDA	Member

The terms of the office of the aforesaid members shall be two years.

By order of the Government of Jammu and Kashmir.

(Sd.) HIRDESH KUMAR SINGH, IAS,

Commissioner/Secretary to Government,  
Housing and Urban Development Department.



EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Jammu, Fri., the 21st Oct., 2016/29th Asv., 1938. [No. 29-b

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS

Notification

Srinagar, the 21st October, 2016.

SRO-340.—In exercise of the powers conferred by section 492 (1) of the Code of Criminal Procedure, Samvat 1989, the Government hereby rescinds Notification SRO-407 of 2015. The following cases shall be conducted by Additional Public Prosecutor, Doda before the Court of Additional Sessions Judge, Doda :—

1. State Vs. Mehraj-ud-Din, offence under sections 8/21 NDPS Act.
2. State Vs. Mehraj-ud-Din offence under sections 8/21 NDPS Act.

3. State Vs. Bilal Ahmed offence under sections 8/21 NDPS Act.
4. State Vs. Shoukat and others offence under sections 8/20 NDPS Act.
5. State Vs. Imtiyaz Ahmed and ors. offence under sections 8/21 NDPS Act.
6. State Vs. Mohd. Aslam and ors. offence under sections 8/21/22 NDPS Act.
7. State Vs. Ram Lal and ors. offence under section 307 RPC.
8. State Vs. Vijay Kumar offence under section 376 RPC.
9. State Vs. Noor Mohd. and another offence under section 376 RPC.
10. State Vs. Najeeb-ur-Rehman and ors. offence under sections 323/364 RPC.
11. State Vs. Bilal Ahmed offence under sections 8/21/22 NDPS Act.
12. State Vs. Jeet Singh offence under sections 337/279 RPC.
13. State Vs. Muneer Ahmed offence under section 376 RPC.
14. Mohd. Ishaq Lone Vs. State offence under sections 279/337/304-A RPC.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 129] Jammu, Mon., the 24th Oct., 2016/2nd Kart., 1938. [No. 29-f

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**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—INFORMATION TECHNOLOGY  
DEPARTMENT

Notification

Srinagar, the 24th October, 2016.

SRO-344.—In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following rules, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Jammu and Kashmir Information Technology (Subordinate) Service Recruitment Rules, 2016.

(2) They shall come into force from the date of their publication in the Government Gazette.

2. *Definitions*.—In these rules, unless the context otherwise requires,—

- a. “State” means the Jammu and Kashmir State ;
- b. “Government” means the Government of Jammu and Kashmir ;
- c. “Rules” means the Jammu and Kashmir Information Technology (Subordinate) Service Recruitment Rules ;
- d. “Post” means a permanent post carrying a definite time scale sanctioned by the competent authority ;
- e. “Administrative Department” means the Department of the Government in Civil Secretariat holding the Administrative charge of the service ;
- f. “Head of the Department” means the Major Head of the Department holding the administrative control of the organization ;
- g. “cadre” means cadre of the service ;
- h. “Board” means the Jammu and Kashmir State Services Selection Board ;
- i. “Selection Agency” means the agency constituted by the Government for making recruitment to a particular class of post ;
- j. “Member of the service” means a person appointed to a post in the service under the provisions of these rules ;
- k. “Schedule” means the schedule(s) annexed to these rules ;
- l. “Service” means the Jammu and Kashmir Information Technology (Subordinate) Service.

Words and expressions used in these rules but not defined ; shall have the same meaning as are assigned to them in the Jammu and Kashmir

Civil Services (Classification, Control and Appeal) Rules, 1956/Jammu and Kashmir Civil Services Regulations.

3. *Constitution of service.*—(1) From the date of commencement of these rules there shall be constituted the “Jammu and Kashmir Information Technology (Subordinate) Service”.

(2) The Government may, at the commencement of these rules, appoint to the service any person who at the commencement of these rules is holding in a substantive capacity any post included in the cadre of the service :

Provided that for the purpose of initial constitution of service, the person holding any post in a substantive capacity to which he was appointed by the competent authority under rules included in the cadre of the service in its sanctioned scale of pay shall be deemed to have been appointed to the service under these rules if he/she is fully qualified to hold the post under these rules unless he/she opts otherwise within 15 days from the commencement of these rules.

“*Explanation* :—The word holding means a person holding a post included in the cadre of the Jammu and Kashmir Information Technology (Subordinate) Service in its sanctioned scale of pay on regular basis under the orders of the competent authority and will not cover the persons holding a post on ex-cadre/deputation basis or on *ad hoc* basis or in a stop-gap arrangement.

4. *Selection Committee.*—The Government shall constitute a Selection Committee in General Administration Department for appointing persons who have previously been appointed to various departments/services against the IT related posts in the initial constitution of the service.

5. *Strength and composition of the service* :—

- a. The authorized permanent and temporary strength of the cadre and the nature of the posts included therein shall be determined by the Government, from time to time and shall at the initial constitution of the service under these rules, be such as specified in the Schedule-I annexed to these rules.
- b. Provided that the Government may create temporary posts in the cadre or the service for specified period or purpose as may be considered necessary from time to time.
- c. The Government shall, at the interval of every five years or at such other intervals as may be necessary, re-examine the strength and composition of the service and make such alterations therein as it deems fit.

6. *Qualification and method of recruitment.*—(1) No person shall be eligible for appointment or promotion to any post in any class, category or grade in the service unless he/she possesses the qualifications as laid down in the Schedule-II and fulfils other requirement of recruitment as provided in the rules and orders for the time being in force.

(2) First appointments to a service or class may be made—

- (i) By promotion or by transfer from another service or class ; or
- (ii) By direct recruitment ; or
- (iii) Partly by (i) and partly by (ii) in the ratio and in manner as mentioned against each post in Schedule-II ; provided that the posts under direct recruitment shall be filled through the

Jammu and Kashmir Services Selection Board as per the rules/orders—

- i. Provided further the departments shall refer vacancies in the direct/promotion quota to the Jammu and Kashmir Services Selection Board and Departmental Promotion Committees, as the case may be in terms of SRO-166 dated 14-06-2005.

7. *Probation.*—(1) Persons appointed to the service, either by direct recruitment or by promotion shall be “on probation for two years and their confirmation in the class or category shall be made under the provisions of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

(2) The pay of a person appointed to the service under these rules shall be regulated as per the provisions of Jammu and Kashmir Civil Services Regulations or General Rules as issued from time to time.

8. *Reservation in appointments.*—While making appointments either promotion or by direct recruitment reservation shall be made in accordance with the rules and orders issued from time to time for members of Scheduled Caste/Scheduled Tribes/Backward Classes or any other category or class of permanent residents of State under the provisions of Jammu and Kashmir Reservation Act, 2004 and rules made thereunder.

9. *Training and departmental examinations.*—Persons appointed to the service by competitive examination may be required to undergo such training from time to time during the course of probation or to pass during the period of probation or trial such departmental examination as the Government may prescribe :

Provided that the Government may exempt persons from such training or departmental examination either wholly or partly, who have passed a

departmental examination or have undergone training declared by Government to be equivalent to a departmental examination or training prescribed under these rules.

10. *Eligibility of Government services for direct recruitment.*—

A person already in the Government service may apply through proper channel for direct recruitment to a vacant post in any particular class or category in the service if he/she possesses the educational and other qualifications prescribed for recruitment to such class or category of post. The upper age limit of such Government servants shall be as provided in the general rules :

Provided that in the case of a post which requires a higher degree of specialization and/or experience the Government may prescribe higher age limit.

11. *Maintenance of seniority lists.*—Seniority of the members of the service shall be regulated under the Jammu and Kashmir Civil Service (Classification, Control and Appeal) Rules, 1956. The Administrative Department shall maintain an up-to-date and final seniority list of members of the service.

12. *Residuary matters.*—In regard to matters not specifically covered by these rules, the members of the service shall be governed by rules/regulations and orders applicable to the State Civil Service in general.

13. *Interpretation.*—If any question arises relating to the interpretation of these rules, the matter shall be referred to the Administrative Department whose decision thereon shall be final and binding.

14. *Repeal and savings.*—(1) All rules corresponding to these rules and in force immediately before the commencements of these rules are hereby repealed.



(2) Notwithstanding such repeal, any appointment order made or action taken under the provisions of the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

By order of the Governor.

(Sd.) MOHAMMED SALEEM SHISHGAR,

Secretary to the Government,  
Information Technology Department.

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*Schedule-I***Jammu and Kashmir Information Technology (Non-Gazetted) Service Recruitment Rules.**

Class	Category	Designation	Sanctioned strength	Pay Scale/ Pay Band
I	A	Assistant Programmer	36	9300-34800 + GP 4600
	B	Network Engineer	04	9300-34800 + GP 4600
II	A	Junior Systems Engineer	08	9300-34800 + GP 4200
	B	EDP Supervisor	65	9300-34800 + GP 4300
III		Assistant EDP Supervisor	60	5200-20200 + GP 2800
IV		Sr. Data Entry Operator	80	5200-20200 + GP 2400
V		Data Entry Operator	120	5200-20200 + GP 1900
<b>(i) Total duty posts</b>			<b>373</b>	

**No. of posts**

Leave Reserve @ 10% of (i) above

:

37

Deputation Reserve @ 5% of (i) above	:	19	
Training Reserve @ 5% of (i) above	:	19	(For direct quota)
(ii) Total	:	75	
G. Total (i)+(ii)	:	448	

*Schedule-II***Jammu and Kashmir Information Technology (Non-Gazetted) Service Recruitment Rules.**

Class	Category	Designation	Pay Scale/ Pay Band	Qualification for direct recruitment	Method of recruitment
1	2	3	4	5	6
I	A	Assistant Programmer	9300-34800 GP 4600	...	100% by promotion from Class 'II', Category 'B' having service not less than three years in that category.
		Network Engineer	9300-34800 GP 4600	...	100% by promotion from the Class 'II', Category 'A' having service not less than five years in that category.
II	A	Junior Systems Engineer	9300-34800 GP 4200	Bachelor of Engineering/B.Tech., (Information Technology or Electronics and	100% by direct recruitment.

B	EDP Supervisor	9300-34800 GP 4300	Communication or Computer Engineering or Computer Science Engineering or MCA from recognized University)	100% by promotion from the Class 'III' having service not less than three years in that class.
			(OR) Diploma in Engineering (Information Technology or Electronics and Communication Engineering) with two years experience from an AICTE recognized institution.	
III	Assistant EDP Supervisor	5200-20200 GP 2800	.....	100% by promotion from the Class 'IV' having service not less than three years in that class.
			.....	

1	2	3	4	5	6
IV		Sr. Data Entry Operator	5200-20200 GP 2400	....	100% by promotion from the Class 'V' having service not less than three years in that class.
V		Data Entry Operator	5200-20200 GP 1900	Graduation with one year diploma in Computer Software Applications or B. Sc. IT/BCA or three years diploma in Computer Application/Software Application from an AICTE recognised institution.	100% by direct recruitment
(Sd.) SANJAY KUMAR TICKOO,					
Under Secretary to Government,					
Information Technology Department.					

EXTRAORDINARY

REGD. NO. JK—33



**THE  
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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART I-B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—TRANSPORT DEPARTMENT, SRINAGAR

Subject :—The Jammu and Kashmir Road Safety Policy.

Reference :—F. No. 44/CoRS/2014 dated 03-03-2015 from the Secretary  
Committee on Road Safety, Supreme Court of India, New  
Delhi.

Government Order No. 64-TR of 2016

Dated 08-09-2016.

In pursuance to the recommendations dated 03-03-2015 made by the  
Committee, constituted by the Hon'ble Supreme Court of India in Writ

Petition (Civil) No. 295/2012 titled S. Rajaseekaran Vs. Union of India and Others, duly approved by the State Road Safety Council. The Government hereby notify “The Jammu and Kashmir State Road Safety Policy” forming annexure to this order.

By order of the Government of Jammu and Kashmir.

(Sd.) BIPUL PATHAK, IAS,

Commissioner/Secretary to Government,  
Transport Department.

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## **ROAD SAFETY POLICY**

### *Preamble :*

The primary mode of transport in J&K is road transport. The mix of vehicles in the road transport system in J&K is diverse. Road Transport has been found to be a major contributor of accidents, fatalities and injuries. With the ever increasing urbanization and migration to city and towns has put enormous pressure even on the city roads. On the other hand, hilly districts of the State, which form most of the area of the State of J&K, have witnessed major road accidents due to specific features of hilly terrain.

The efficient, effective and planned transport system is thus not only a desire to be implemented but rather a commitment to manage Road Safety challenges. This requires expansion of capacities, better road engineering, modernization of transportation modes, development of urban transportation, development of trained and skilled human resources and more importantly to organize and introduce efficient and effective traffic management system.

### *Vision and objectives :*

Government of J&K is committed to take steps to save the precious lives which are lost in the road accidents and to take comprehensive measures covering engineering, architecture, enforcement, education, emergency care and use of advanced technology to stop and reverse increasing trend of road accidents, number of deaths and injuries. The objective of the policy is to provide safe road and safe passage to users for both personal as well as commercial transport modes. The intent is to reduce the fatalities and injuries by 20% by the year 2020 considering 2016 as the base year.

1. *Means to achieve objectives.*— To realize the vision and objective of this policy, the Government commits itself to take following measures :—

—

#### **(1) Safe Roads and Mobility.—**

- Black spots have been found to be the main cause of the road accidents. The black spots thus shall be identified as per

the protocol i. e. annual time table to be drawn up by R&B Department for necessary rectification. Moreover, it is proposed that in order to implement Road Safety initiatives, new developments of roads will be put to safety audit system and the design of roads will also follow a protocol to avoid any future black spots in the network. Government will create a permanent task force for this purpose.

- All the existing and new roads shall be equipped with standard traffic control features like Signs, Marking, Crash Barriers, Delineators **and natural plantation barrier alongside the road etc.** The State does not have any road declared as State Highway. Initiatives shall be taken to upgrade all major roads in the State and classify important roads as State Highways under a standard protocol.
- The encroachment of roads, pathways and pedestrian paths has become one of the reasons for road accidents and congestion. In order to provide safer roads, the removal of encroachment of roads and pathways shall be strictly enforced. Police, Municipal Corporations and Municipal Committees shall be made accountable to ensure encroachments on roads, pathways and pedestrian paths are removed. **To ensure free flow of traffic on all roads, the provisions of Ribbon Development Act shall be strictly implemented.**
- In order to provide safer roads and mobility, the Government after due process and consultation with stake holders, shall declare certain business areas as traffic free areas. The Government will encourage the general public to walk shorter distances.
- In order to decrease the vehicle population on roads, the Government will adopt innovative features and modernize the

Public Transport System. In order to achieve the objective, the Government will increase the operations of J&K State Road Transport Corporation and shall also encourage private bus owners to introduce smart buses to reduce private transport as far as possible.

- Safer roads and free mobility cannot be achieved unless sufficient parking spaces are made available. Development Authorities are already entrusted with responsibility to create more parking spaces but it be endeavour of the Government to encourage non-governmental institutions/individuals to develop private lands for parking purpose. Building by-laws shall be amended to make it happen and to provide incentives to encourage this. In addition to this Government will encourage setting up of modern Bus Terminals on a Public Private Partnership (PPP).
- No new commercial vehicle shall be allowed to be registered and introduced in the State without installing speed limit device (Speed Governor) as is now required under Motor Vehicle Rules.

**(2) Institutional Framework and Funding.—**

- In addition to this, the Government vide SRO-52 dated 01-02-2012 has constituted a High Level State Road Safety Council headed by Chief Secretary. The Council is tasked with responsibility to advice the Government for steps to be taken for achieving the objectives of safe roads.
- Government shall setup legal/institutional framework for road safety through appropriate legislation. The legislation will also including set up of a dedicated Road Safety Fund for undertaking various activities for improving the road safety in the State to bring down the incidents of road accidents and resultant death, injuries and the consequent social and economic loss to the State. The State Safety Council will also be given legal cover under this legislation.

- Funding of Road Safety measures shall be achieved through dedicated funding for Road Safety initiative. The Government shall raise such fund from the share of Taxes, Fines, Cess, levied under Motor Vehicle Act.
- Parliamentarian/legislators shall be requested to use some portion of constituency development fund for undertaking road safety works.
- The business/industrialists and others from the public shall be encouraged to contribute and donate towards the Road Safety Fund.

**3. Emergency Medical Services for Road Accidents.—**

- In order to reduce fatalities and deaths, effective post-crash response shall be a great help, as such creating of network of Trauma Healthcare facilities on National Highways and State Highways shall be the endeavour of the Government.
- In order to increase post-crash response, Trauma Healthcare Centers shall be established at accident prone stretches of the roads with critical care ambulances and basic life support devices. The Government will strengthen the Hospitals/ Primary Health Centers nearer to roads to cater the requirements of post-crash responses.
- The District Administration shall be sensitized to establish first response care through community living on the road sides and trainable bodied persons living along National Highways/ State Highways in the art of Trauma Care.
- The principle of “bring them alive”, “Keeping them alive” till they reach Hospital/Trauma Centre can be achieved, if critical ambulances reach the accident spot(s) without any loss of time. Hence, it shall be the endeavour of the Government to provide clear route path for ambulances or other alternate transport through a legal mechanism. In this regard, the Home

Department shall formulate standards and protocols for providing obstruction free path to critical trauma patient carrier. Police, Home Guards, School Teachers and local health workers shall be made part of this legal mechanism to provide obstruction free road to trauma patient carrier.

- To improve communication system available with police and other emergency services as a means to reduce response time and to assist in planning and implementation of Traffic Aid Post Scheme.
- To train police, fire and other emergency service personnel such as those on ambulances and paramedics involved in basic first aid for road crash victims.
- To involve volunteers of organizations like Civil Defense Organization, Red Cross, develop local and regional trauma plans based on study of post-accident assistance and consequences for road traffic accident casualties.

#### 4. **Establishment of Safe Transport Infrastructure.—**

- In order to improve Road Safety, it shall be the endeavour of the Government to provide safe transportation infrastructure, systematic improvement of safety for impaired/elderly and children shall be ensured during the mobility.
- Operation of smart transportation modes with GPS/GIS Vehicle Tracking System and CCTVs by Public/Private Transporters shall be encouraged.
- In order to provide safe transportation infrastructure, Advanced Weather Information Centers shall be established at different places on National Highways and State Highways.
- The Government will ensure that Municipal Corporation and Municipalities establish, install, monitor and maintain traffic signals at all crossings to ensure safe and pleasant driving.

- The Government will take steps to ensure that safety aspects are built in at the state of design, manufacture, usage operation and maintenance of all types of vehicles in line with prevailing standards in order to minimize adverse safety and environment affects of vehicle operation on road users and infrastructure.
- The behavior of a driver is the major cause of traffic/road accidents, yet investment is concentrated on road facilities under the present circumstances. It is necessary to spend some road facility budget on driver education and training to improve the competence and capability of driver. The Government shall in this regard open training/education centers at different places of State and shall also strengthen the driving licensing system and policy to ensure that driving license holder has basic knowledge of the road safety measures.

**5. Enforcement.—**

- Violation of traffic laws and regulations has been found as one of the reasons for road accidents. In order to reduce rather eliminate violation of traffic laws/regulations ; the Government shall take appropriate measures to improve and enhance the capacity of Enforcement Agencies. In this regard, the Law Enforcement Agencies shall be equipped with advanced devices to detect over speeding, red light jumping, drunken driving, illegal movement obstruction and helmet/seat belt violation.
- The Law Enforcement Agencies shall be sensitized to ensure checking of fitness of the vehicles as per the protocol/time schedule, detection of unauthorized driving and driving by minors. The Government has already introduced

computerization of the Motor Vehicles Department. In order to analyze accidents data, centralized, computerized data management system shall be established having the handshake with National Data Centre. The Law Enforcement Agencies will ensure that periodic Eye/Health Checkup of drivers is conducted from time to time.

- To take appropriate measures to improve the capacity of Motor Vehicles Department and the Traffic Police Department.
- To take appropriate steps to ensure that the enforcement authorities are adequately strengthened, upgraded, manned, trained, and equipped and empowered to carry out their functions by ensuring safe road use and orderly traffic flow including the traffic situation, land use and road network planning etc.
- To form flying squads and establish check points at vital points to check the menace of overloading both passenger and goods. The penalties imposed will include suspension/cancellation of Route Permits/Driving License and Agents License besides fine as envisaged under Motor Vehicle Act and denial of further Permits/Licenses/Agent License to the violators.
- No sale and supply of liquor shall be allowed alongside the National/State Highway.

**6. Raising awareness about Road Safety, Education and Training.—**

- Raising awareness among key decision-makers, stakeholders and NGOs to facilitate them for planning and promoting road safety.

- Raising awareness about the gravity of road safety issues amongst all citizens of the State and particularly the young, elderly and the infirm.
- To enlighten various road user groups with respect to their roles and responsibilities.
- Encourage inclusion of road safety awareness as part of educational curriculum for students of various age groups.
- To develop and implement road safety publicity campaigns by using the creative resources of both Government and professional agencies and NGOs for various target groups as per their respective requirements.
- Also planning and implementing community based road safety programmes to engage local as well as non-governmental partners in the areas of road traffic safety that most affect their daily lives.
- Planning, designing and implementing training programmes for various specific groups involved in road safety management tasks e. g. Traffic Personnel, Highway Engineers, School Teachers, Town Planners, **NGOs/SHGs.**
- To establish Road Safety Clubs in Schools/Colleges/Universities.
- It shall be the endeavour of the State Government to celebrate Road Safety Traffic Week in the month of January and World Road Safety Victims day on 3rd Sunday in November every year.

7. **HRD, Research and Intelligent Information System for Road Safety.—**

- Improve the reporting of important details at the scene of accident shortly after the occurrence of the accident.



- Improve the storage and accessibility of all data relevant to an accident such as vehicles involved, road environment etc.
- To set up a system for identifying new areas for research with a special attention to safety of the vulnerable road users.
- To develop arrangements for the allocation of funds for research projects to be carried out by Research Institutes, Universities, NGOs.
- To consolidate the results already available from research projects and resource material nationally and internationally for widespread dissemination among engineers, concerned departments, NGOs and road safety professionals.
- To deploy sufficient manpower for implementation of RADMS and for carrying out sufficient R&D activities for reduction of accidents.
- In order to provide safer roads and mobility, the Government will establish centre of excellence in the State to create capacity in road safety research as well as human resource for road safety engineering within the R&B Department.

**8. Social Security for the Road Accident Victims.—**

- Every accident victim to be treated on priority in nearest hospital free of cost.
- Building information system to report accidents and help the victims in the shortest possible time and provide immediate medical care without asking for any legal formalities in the first instance. In this regard, Hon'ble Supreme Court has already ordered that accident victim should be attended without any formality either by Police or Doctor. Government

of India has already issued notification in this regard ;  
Government will ensure that Good Samaritan isn't put to any  
legal formalities.

- In case of major injuries involving higher treatments and expenses and in some cases deaths also the next of kins shall be suitably compensated by the insurance companies through Third Party Insurance.

(Sd)      BIPUL PATHAK, IAS,

Commissioner/Secretary to Government,  
Transport Department.

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

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GOVERNMENT OF JAMMU AND KASHMIR,  
EMPLOYEES INSURANCE COURT, J&K, JAMMU.

Present : Kossar Ahmad Qureshi, Presiding Officer.

File No. 70/ESI.

Date of Institution : 22-05-2007.

Date of Decision : 01-08-2016.

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FIL Industries Limited V/s. Employees State Insurance Corporation  
through Assistant Director, Employees State Insurance Corporation and  
others.

(Petitioner)

(Respondent)

Appearing Counsel :

For the Petitioner : Mr. Vipin Gandotra, Advocate.

For the Respondent : Mr. Swami Raj Sharma, Advocate.

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ORDER

This petition under section 77 of ESI Act, 1948 has been filed on behalf of FIL Industries Ltd. against the respondents stating as under :—

1. That Respondent No.1, ESI Corporation through its Assistant Director, Jammu branch had issued a notice for payment of Rs. 2,29,377/- (Rupees two lakh, twenty nine thousand three hundred and seventy seven) as ESI contribution.
2. That the petitioner is having a company which is registered under Company's Act at Bari Brahmana, Jammu, where pesticides are manufactured.
3. That the petitioner company does not own the liability raised under the notice in question.
4. That the company has on its roll 44 workers only and the company deposits ESI contributions on their behalf on regular basis.
5. That besides the labour directly engaged by the company, some casual workers are engaged on some occasions who are not regular employees and they have no contract of service with the company, because the company cannot afford to employ full time employees for menial jobs.
6. That these casual workers are paid a small amount as wages and they cannot be covered under the ESI Act.
7. That the number of labour varies from time to time, month to month and year to year as per the requirement of the company.
8. That the petitioner company is not the employer nor ever was an employer of any labour engaged by the private respondents

nor any privity of contract ever existed between the petitioner company and private respondents.

9. That the financial arrangements with the private respondents is such that these include the total amount payable to the private respondents under any law including ESI Act.
10. That it is the private respondent who have to look to the welfare of the labour engaged by them.
11. That the labour engaged by private respondents are not on permanent basis.
12. That the persons who come through private agency is for a certain day and next day the said person may not come and somebody else may work in his place.
13. That private persons do not engage any skilled worker as they are not needed by the petitioner company.
14. That the methodology of payment is also relatable to the number of containers, packed by them in a day and it has nothing to do with the time of worker.
15. That the demand has been raised by Respondent No.1 on the basis of one kind of inspection conducted sometime back and after the said inspection several correspondence came to existence between the petitioner company and Respondent No.1.
16. That the Respondent No.1, in contravention of the law and utter disregard of its jurisdiction, has raised the demand to the prejudice and to the detriment of the petitioner company.
17. That the inspection conducted by Respondent No.1 was also in violation of rules and natural justice and the material collected

during the course of action was also wrong because the person from whom the enquiries were made were engaged by the private persons and who had nothing to do with the petitioner company and all this was done in absence of the petitioner company.

18. That the petitioner company, as such, disputes the inspection of ESI Inspector and its report submitted to its higher authorities.
19. That the action taken on the basis of the said report is not correct, which is disputed by the petitioner company.
20. That the Respondent No. 1 has also included some labourers, who were involved in loading and unloading of the vehicles, in the list of permanent workers of petitioner company.
21. That the Respondent No.1 has also included some security persons in the list of the workers of the company, though the security persons are supplied by the private company, and such persons continue to change as per the need of the petitioner company.
22. That the petitioner company has prayed for declaring the demand notice as illegal and against the provisions of law, and as such requires to be quashed.

The Respondent No.1 has submitted its objections to the petition of the petitioner company as under :—

- (1) That as per ESI Act there are two types of employers, principal employer and the immediate employer and as per petition, the private respondents who are directly engaged by the petitioner company engage other labourers for the work of the company and as per section 40 of ESI Act, the principal employer should pay in respect of every employee, whether directly engaged by

him or through an immediate employer, both the employer's contribution and the employee's contribution.

- (2) That in reply to sub-para 'b' of para 3 of the petition it is submitted that as per ESI Act, the principal employer should pay in respect of every employer, whether directly employed by him or through immediate employer i. e. the employer's contribution and the employee's contribution.
- (3) That the private respondents are contractors, who engage labourers for the work of the company and pay them wages.
- (4) That as per section 41 of ESI Act, the principal employer, who has contributed in respect of an employee employed by him or through an immediate employer shall be entitled to recover the amount of contribution, so paid, from the immediate employer either by deduction from any amount payable to him by the principal employer under the contract or as a debt payable by the immediate employer and as such all these labourer engaged by the private respondents come within the definition of employee as in section 2(9) of ESI Act and are therefore, employees of petitioner company.
- (5) That the labourers engaged by the private respondents comes within the definition of employees and are therefore employees of the petitioner company.
- (6) That the petitioner company is covered under ESI Act with ESI Code 19/0387.
- (7) That three inspectors namely Shri Ramphal, Shri Mohan Singh and Shri Subash Chander along with Shri Sindhu Ram, Assistant Director and Shri S. Ghosh, Joint Director visited the petitioner company on 10-11-2005 and found 54 employees coverable

under ESI Act although they were not covered by the petitioner company.

- (8) That the inspection note which was completed by the ESI Corporation was acknowledged by the petitioner company.
- (9) That the petitioner company appeared before the Assistant Director of the corporation and sought time to file actual position but finally stated that the entire statement prepared by the corporation is based on false grounds, but the corporation rejected the plea of petitioner company.
- (10) That the respondent No. 1 has stated that the petitioner company is liable to pay the amount of demand notice under the provisions of ESI Act and finally prayed for dismissal of the petition filed by the petitioner company.
- (11) That other respondents were set *ex parte* due to their continuous absence from the proceeding of the case. Some respondents filed application for setting aside *ex parte* proceedings against them.
- (12) That these respondents have not given any clear submission regarding the employment of labours with petitioner company, though they have accepted that the payment of wages of labourers were made to these respondents/contractors by the petitioner company directly because these labourers were supplied to the petitioner company from time to time as per need by these contractors.

The petitioners were directed to adduce evidence in respect of their contentions, however the petitioner in the first instance was directed to adduce the evidence.



The petitioner filed written statements of two witnesses namely Shri M. C. Sharma and Shri Sunil Varma in the shape of affidavits and after that the witnesses were directed to appear for cross-examination.

The witnesses appeared as per direction of the court but there was nobody to cross-examine the witnesses even though so many opportunities were given to the Respondent No. 1 for this purpose. The respondent also did not choose to produce any evidence in rebuttal and finally the evidence was closed and as such the statement of witnesses of petitioner company remained unrebutted.

From the perusal of the petition, its objections, the record available on case file and the evidence of the petitioner the following points emerged in the case :—

- I. That the petitioner company had engaged 44 workers as regular employees by the company.
- II. That the petitioner company used to engage extra labour as per need from time to time.
- III. That all the extra labourers were engaged through contractors and the payment of wages of these labourers was made to the said contractor.
- IV. That the services of some security persons were also used by the company through contractors and their payment was also made to the said security agency.
- V. That the extra labourers engaged through contractors were not permanent but at one time a, b, c were engaged and on another time d, e, f were engaged and such practice continues throughout of the notice period. The above points are proved in terms of

record, evidence and other aspects of the case which are now discussed below :—

During the course of inspection by the respondent corporation, there were also contract labourers working for loading and unloading of vehicles and the inspection team also included these labourers in the list of permanent workers as such they have given the number of regular employees as 54 instead of 44. The Respondent No. 1 has also failed to produce those labourers/official staff before this court to verify the contentions made in the demand notice as well as in the inspection report.

The witnesses of petitioner company have stated that the petitioner company has only 44 workers and the company is contributing ESI contribution on behalf of these workers regularly. Both the witnesses have supported the contentions made in the petition of the petitioner and have further stated that some casual workers are engaged on some occasions and these workers are not regular employees and they have no contract of services with the company because the company cannot afford to employ full time employees for menial jobs. It is further stated that, these workers are casual and are paid small amount as wages and will not be covered under the Act.

The Hon'ble Supreme Court has also held that "the employer not supervising the work of the contractor's employees is not liable to cover such employees under the ESI and pay their contribution [C.E.S.C. Limited Vs. Subash Chander Bose, 1992 Lab IC 332: AIR 1992 SC 573: 1992 ILLJ 475: LLR 81(SC).]

The evidence produced by the petitioner company remained un rebutted as such there is no reason to disbelieve the petitioner, as such its evidence is treated as proved.

It was obligatory upon the Respondent No. 1 to adduce evidence in support of their contention on the basis of which they have made the demand of an amount of Rs. 2,29,377/- against the petitioner company but they have failed even to produce the concerned inspectors to verify the report upon which the demand of amount was made.

It is also the matter of record that 5 persons, as stated in the objections were given the task of inspection of the petitioner company but none of them appeared as witness before this court to verify the report submitted by them to their higher authorities. The contention made in the petition of the petitioner company that the inspection report of the respondent corporation is based on frivolous and fabricated facts seems correct and the plea of Respondent No. 1 that the petitioner company is liable to deposit Rs. 2,29,377/- as ESI contribution is not supported by any oral and documentary evidence, as such the plea of the Respondent No. 1 cannot be accepted.

It has been proved by the evidence of petitioner company that the labourers engaged through private persons are not the permanent employees of the company but are casual workers and they have no contract of service with the company and therefore they cannot be covered under ESI Act. There are only 44 workers working in the petitioner company and company is regularly contributing towards their ESI fund and as such the demand notice issued by

Respondent No. 1 for an amount of Rs. 2,29,377/- against the petitioner company is illegal and based on concocted facts. The said demand notice issued under No. JK/19/387/217 dated 21-02-2007 is hereby quashed.

The respondent corporation is restrained to claim the amount of demand notice from the petitioner company.

The file after its due completion be consigned to records. There is however, no order as to costs.

Announced :

Dated 01-08-2016.

(Sd.) KOSSAR AHMAD QURESHI,

Presiding Officer,  
District and Sessions Judge,  
Industrial Tribunal-cum-Labour Court,  
J&K, Jammu.